

**REMARKS**

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed May 1, 2007. Claims 1-38 are pending in the Application.

The drawings are objected to for mislabeling.

Claims 1, 13, and 14 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,106,729.

Claims 29-31 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 8-12 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 21-28 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wu *et al.* (U.S. Patent No. 7,154,887) in view of Weik (U.S. Patent No. 4,926,416).

Claims 33, 36, and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wu *et al.* in view of Yoshifiji (U.S. Patent No. 5,917,426).

Claims 2-7, 34, 35, and 37 are objected to for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15-20 are allowed.

In response to these rejections, Claims 1, 3-7, 21, 30-31, and 33 have been amended and Claims 2, 29, and 34 have been canceled to further clarify the subject matter which Applicants regard as the invention, without prejudice or disclaimer to continued examination on the merits. These amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon the amendments and the arguments presented herein, reconsideration of the Application is respectfully requested.

**Drawing Objection**

FIGS. 2, 6a, 6b, and 6c are objected to for mislabeling and failure to include reference numerals. In response to this objection, Applicants are submitting Replacement Drawing Sheets for FIGS. 2, 6a, 6b, and 6c herewith. Accordingly, Applicants respectfully request that this objection be withdrawn.

**Claims 1, 13, and 14 – Nonstatutory Obviousness-type Double Patenting**

Claims 1, 13, and 14 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,106,729. In response to this rejection, Applicants are filing a Terminal Disclaimer under 37 C.F.R. 1.321 herewith.

**Claims 29-31 – Rejection - §112, first paragraph**

Claims 29-31 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Examiner states that Claim 29 recites a limitation in conflict with the specification whereby Claim 29 states “the center stage devices...to expand a number of edges and increase a number of time slots per edge...” and the Specification states “a physical center stage switch...by expanding the number of edges and reducing the number of time slots per edge.”

In response to this rejection and the §103(a) rejection of claims 21-28 and 32 over Wu *et al.* and Weilk, Applicants have canceled Claim 29 and incorporated all of the limitations in Claim 29 into independent Claim 21. In response to this rejection, Applicants have changed the limitation from “increase” to “decrease” as described in the specification. Accordingly, Applicants respectfully submit that the rejection of Claims 29-31 under 35 U.S.C. §112, first paragraph, has now been traversed. Therefore, withdrawal of this rejection is respectfully requested

**Claims 8-12 – Rejection - §112, second paragraph**

Claims 8-12 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 8 and 10-12 recite the limitation of “step of post-processing” with insufficient antecedent basis.

In response to this rejection and the objection of Claim 2, Applicants have canceled dependent Claim 2 and included all previous limitations in Claim 2 in independent Claim 1. The antecedent basis for the “step of post-processing” is included in dependent Claim 2 which is now included in independent Claim 1. Accordingly, Applicants respectfully submit that the rejection of Claims 8-12 under 35 U.S.C. §112, second paragraph, has now been traversed. Therefore, withdrawal of this rejection is respectfully requested

**Claims 21-28 and 32 – Rejection - §103(a) – Wu *et al.* and Weik**

Claims 21-28 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wu *et al.* (U.S. Patent No. 7,154,887) in view of Weik (U.S. Patent No. 4,926,416). In response to this rejection, Applicants have incorporated all of the limitations of dependent Claim 29 into independent Claim 21, and canceled Claim 29. Accordingly, Applicants respectfully submit that the rejection of Claims 21-28 and 32 as being unpatentable over Wu *et al.* in view of Weik has now been traversed. Therefore, withdrawal of this rejection is respectfully requested

**Claims 33, 36, and 38 – Rejection - §103(a) – Wu *et al.* and Yoshifuji**

Claims 33, 36, and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wu *et al.* in view of Yoshifuji (U.S. Patent No. 5,917,426). In response to this rejection, Applicants have incorporated all of the limitations of dependent Claim 34

into independent Claim 33, and canceled Claim 34. Accordingly, Applicants respectfully submit that the rejection of Claims 33, 36, and 38 as being unpatentable over Wu *et al.* in view of Yoshifuji has now been traversed. Therefore, withdrawal of this rejection is respectfully requested

**Claims 2-7, 34, 35, and 37 – Objection**

Claims 2-7, 34, 35, and 37 are objected to for being dependent upon a rejected base claim. As discussed herein, in response to this objection, Applicants have:

- incorporated all of the limitations of dependent Claim 2 into independent Claim 1, and canceled Claim 2; and
- incorporated all of the limitations of dependent Claim 34 into independent Claim 33, and canceled Claim 34;

Therefore, withdrawal of this objection is respectfully requested

**CONCLUSION**

Applicants would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

Date: August 1, 2007

/s/ Christopher L. Bernard

Christopher L. Bernard  
Registration No.: 48,234

Lawrence A. Baratta Jr.  
Registration No.: 59,553

Attorneys for Applicants

CLEMENTS | WALKER  
1901 Roxborough Road, Suite 300  
Charlotte, North Carolina 28211 USA  
Telephone: 704.366.6642  
Facsimile: 704.366.9744  
[cbernard@worldpatents.com](mailto:cbernard@worldpatents.com)